

Attorney's Docket: 2000DE402D

Serial No.: 10/688,009

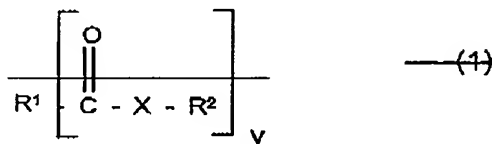
Art Unit 1714

Response to Office Action Mailed 09/11/2008

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.(Currently Amended) An additive for improving cold-flow and lubricating properties of fuel oils, comprising

A) [[5 – 95%]] 20 – 80% by weight of at least one oil-soluble amphiphile selected from the group consisting of glyceryl monooleate, oleic acid diethanolamide, oleic acid, tall oil fatty acid, polyisobutenylsuccinic anhydride diesterified with diethylene glycol, and C₁₈H₃₅-O-CH₂-CH(OH)-CH₂OH
of the formula 1



— and/or 2



in which R¹ is an alkyl, alkenyl, hydroxyalkyl or aromatic radical having 12–35 carbon atoms, X is NH, NR³, O or S, y is 1, 2, 3 or 4, R² is hydrogen or an alkyl radical carrying hydroxyl groups and having 2 to 10 carbon atoms and R³ is an alkyl radical carrying nitrogen or hydroxyl groups or mixtures of nitrogen and hydroxyl groups and having 2 to 10 carbon atoms or C₄-C₂₀ alkyl, wherein component A) has from 2 to 5 free hydroxyl groups wherein each carbon atom has no more than one hydroxyl group and

B) [[5 – 95%]] 20 – 80% by weight of a terpolymer is a vinyl ester selected from the group consisting of neononanoic, neodecanoic, neoundecanoic acid, neododecanoic acid, and mixtures thereof containing from 3 to 18 mol% of structural units derived from the vinyl ester of a carboxylic acid having 2 to 4 carbon atoms, from 0.5 to 10 mol% of structural units derived from the vinyl

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ester of a neocarboxylic acid having 8 to 15 carbon atoms, and structural units of ethylene to 100 mol%, and having a melt viscosity, measured at 140°C, of from 20 to 10,000 mPas.

2.(Canceled)

3.(Canceled)

4.(Canceled)

5.(Canceled)

6.(Previously Presented) The additive as claimed in claim 1, wherein the melt viscosity at 140°C of said terpolymer of component B) ranges from 50 to 5000 mPas.

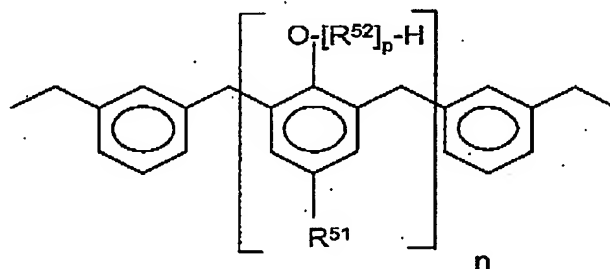
7.(Canceled)

8.(Canceled)

9.(Previously presented) A fuel oil comprising the additive as claimed in claim 1.

10.(Canceled)

11.(Previously presented) An additive mixture comprising the additive of claim 1 and paraffin dispersants of the formula



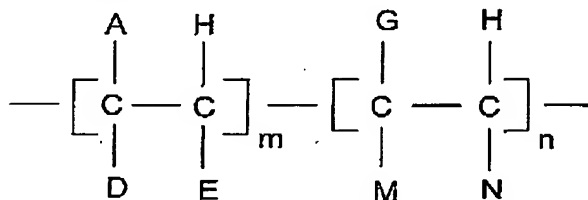
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in which R^{51} is C_4 - C_{50} -alkyl or C_4 - C_{50} -alkenyl, O - $[R^{52}]$ is ethoxy and/or propoxy, n is a number from 5 to 100 and p is a number from 0 to 50, or comb polymers of the formula



in which

A is R' , COOR' , OCOR' , $R''\text{-COOR}'$ or OR' ;

D is H, CH_3 , A or R'' ;

E is H or A;

G is H, R'' , $R''\text{-COOR}'$, an aryl radical or a heterocyclic radical;

M is H, COOR'' , OCOR'' , OR'' or COOH ;

N is H, R'' , COOR'' , OCOR , COOH or an aryl radical;

R' is a hydrocarbon chain having 8 to 150 carbon atoms;

R'' is a hydrocarbon chain having 1 to 10 carbon atoms;

m is a number from 0.4 to 1.0; and

n is a number from 0 to 0.6, the mixing ratio of said additive to paraffin dispersant or comb polymer being from 1:10 to 20:1.